

MAY 01 2007

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Group Art Unit: 2139

Examiner: WILLIAMS, Kent L.

UNITED STATES PATENT AND TRADEMARK OFFICE

Pages: Cover + 2 + 2 + 1 = 6

From: Georgann S. Grunebach

Reg. No. 33,179

Date: May 1, 2007

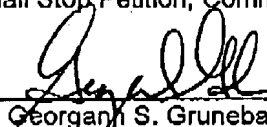
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Georgann S. Grunebach, Reg. No. 33,179

(Name of Applicant, Assignee or Registered Representative)

May 1, 2007

Date

(Date of Facsimile Transmission)

Re: Serial No. 10/758,865

Filing Date: January 16, 2004

Inventors: Raynold M. Kahn, et al.

For: DISTRIBUTION OF VIDEO CONTENT USING CLIENT TO HOST PARING OF  
INTEGRATED RECEIVERS/DECODERS

Attorney Docket No.: PD-200289

Transmitted herewith:

- PETITION TO REVIVE ABANDONED APPLICATION BASED ON  
UNINTENTIONAL FAILURE TO NOTIFY OF FOREIGN FILING PURSUANT TO 37 CFR  
§1.137(b) and §1.137(f) (2 pages in duplicate)
- RESCISSION OF PREVIOUS NONPUBLICATION REQUEST PTO/SB/36 (1 page)

The DirecTV Group, Inc., CA/LA1/A109, P. O. Box 956, El Segundo CA 90245

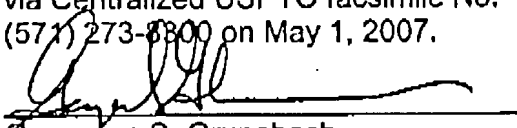
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PAGE 116 RCVD AT 5/1/2007 12:59:26 PM [Eastern Daylight Time] \* SVR:USPTO-EFXXRF-2/21 \* DNIS:2738300 \* CSID:3109640941 \* DURATION (mm:ss):02:36

MAY 01 2007

PATENT  
PD-200289  
Customer No. 020991

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Raynold M. Kahn, et al. : I hereby certify that this paper is being  
: transmitted to Mail Stop Petition,  
: Commissioner for Patents, P.O. Box  
Serial No.: 10/758,865 : 1450, Alexandria, VA 22313-1450  
: via Centralized USPTO facsimile No.  
Filing Date: January 16, 2004 : (571) 273-8800 on May 1, 2007.  
:   
Title: DISTRIBUTION OF VIDEO CONTENT :  
USING CLIENT TO HOST PARING OF : Georgann S. Grunebach,  
INTEGRATED RECEIVERS/DECODERS : Reg. No. 33,179

Group Art Unit: 2139 :  
Examiner: Kent L. Williams : Date: May 1, 2007

PETITION TO REVIVE ABANDONED APPLICATION  
BASED ON UNINTENTIONAL FAILURE TO NOTIFY OF FOREIGN FILING  
PURSUANT TO 37 CFR §§ 1.137(b) and 1.137 (f)  
AND  
RELATED COMMUNICATION

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The present application is believed to be abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of a foreign filing.

PETITION

Pursuant to 37 CFR §§ 1.137(b) and 1.137 (f), applicant respectfully petitions to revive the above-identified application. As discussed below, the failure to notify was unintentional.

Submitted herewith is a Rescission of Previous Nonpublication Request (35 U.S.C. 122(b)(2)(B)(ii) and Notice of Foreign Filing (35 U.S.C. 122(b)(2)(B)(iii)).

Please charge the petition fee of \$1,500.00 pursuant to 37 CFR § 1.17(m) to Deposit Account No. 50-0383 of The DIRECTV Group, Inc.. If any additional fee is due, the Commissioner is hereby authorized to charge any additional fees that be required, or credit any overpayment, to Deposit Account No. 50-0383 of The DIRECTV Group, Inc., El Segundo, California.

Serial No.: 10/758,865

Page 2

**DISCUSSION**

The above-identified application was filed on January 16, 2004. At the time the invention disclosure was reviewed by the group charged with reviewing all such disclosures on behalf of the assignee (which group includes the undersigned) a decision was made to file an application in the United States. Consideration was also given to corresponding foreign filings. It was determined that there was no present intention to file any foreign applications. Accordingly, a Nonpublication Request Under 35 U.S.C. § 122(b)(2)(B)(i) was filed contemporaneously with this application.

The docketing system of assignee provides reminders of approaching one-year anniversaries of all U.S. applications. Pursuant to standard practice, on receiving this reminder, the group which reviews invention disclosures considers again the possibility of foreign filings, taking into account the then-present circumstances. As a result of this later review of the present case, a new decision was made to file a corresponding case in the EPO. Accordingly, on January 17, 2005, an application corresponding to the present application was filed with the European Patent Office.

In accordance with 35 U.S.C. § 122(b)(2)(B)(iii) and 37 CFR § 1.213(c), a Notice of Foreign Filing and Rescission of Previous Nonpublication Request should have been filed within 45 days, on or before March 3, 2005. However, such notice or rescission was unintentionally not submitted on behalf of applicant in this case.

During a review of internal docketing information, it was noticed for the first time on April 27, 2007 that the Patent Office had not been notified of the January 17, 2005 foreign filing. The undersigned then promptly prepared the present communication and Petition for submission.

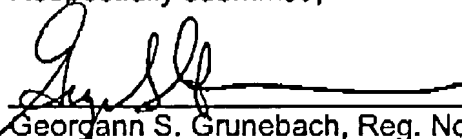
Counsel for applicant have taken steps to revise the internal docket procedures to better take into account recent changes in the Patent Office publication rules.

The undersigned counsel for applicant hereby states and represents that the delay in filing the Rescission of Previous Nonpublication Request (35 U.S.C. 122(b)(2)(B)(iii)) was unintentional, and that it is being immediately drawn to the attention of the Patent Office within days of its discovery.

If a telephone inquiry would assist in resolving this matter, please feel free to contact the undersigned at (310) 964-4615 or by facsimile at (310) 964-0941.

Respectfully submitted,

Dated: May 1, 2007



Georgann S. Grunebach, Reg. No. 33,179  
Attorney for Applicant

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